

AMENDMENT

Kindly amend the claims, without prejudice, without admission, without surrender of subject matter, and without any intention of creating any estoppel as to equivalents, as follows.

IN THE CLAIMS

Kindly add new claims 44 to 69, without prejudice, without admission, without surrender of subject matter, and without any intention of creating any estoppel as to equivalents, as follows:

- Sub. C1
44. (New) A process for preparing a foodstuff suitable for consumption comprising an emulsifier, the process comprising the steps of
- (i) contacting a food material containing a fatty acid ester and a second constituent with an enzyme such that an emulsifier is generated by the enzyme from the fatty acid ester and a second functional ingredient is generated from the second constituent; and
 - (ii) inactivating or denaturing the enzyme to provide the foodstuff comprising the emulsifier, the fatty acid ester and the enzyme in an inactive form or a denatured form.

45. (New) The process according to claim 44 wherein the fatty acid ester comprises at least two ester groups.

46. (New) The process according to claim 44 wherein the fatty acid ester is a triglyceride.

47. (New) The process according to claim 44 wherein the enzyme is selected from the group consisting of lipase, esterase, derivatives and mixtures thereof.

BT 48. (New) The process according to claim 44 wherein the enzyme is isolated from a plant, an animal or a micro-organism.

49. (New) The process according to claim 48 wherein the micro-organism is selected from the group consisting of *Aspergillus niger*, *Rhizopus delemar*, *Rhizopus arrhizus*, *Mucor miehei*, *Pseudomonas sp.*, *Candida rugosa*, *Penicillium roqueforti*, *Penicillium cyclopium*, *Aspergillus tubingensis*, *Candida cylindracea*, *Thermomyces lanuginosus*, *Mucor javanicus*, *Candida antartica*, *Chromobacterium viscosum*, *Pseudomonas fluorescens*, *Pseudomonas nitroreducans*, *Chromobacterium viscosum*, *Bacillus subtilis*, mutants and combinations thereof.

50. (New) The process according to claim 44 wherein the foodstuff comprises at least the emulsifier and the second functional ingredient, and wherein the emulsifier and the second functional ingredient have been generated from the fatty acid ester and the second constituent of the food material by the enzyme.

51. (New) The process according to claim 44 wherein the second constituent is hydrophilic.

52. (New) The process according to claim 44 wherein the second constituent is selected from the group consisting of a constituent comprising a hydroxy group, polyvalent alcohols, water, ethanol, sugars, dextrans, sorbitol, mannitol, fruit acids and hydroxy acids, and mixtures and derivatives thereof.

53. (New) The process according to claim 44 wherein the second constituent is glycerol.

54. (New) The process according to claim 52 wherein the second constituent is a sugar selected from the group consisting of sucrose, fructose, glucose, lactose, and galactose.

55. (New) The process according to claim 52 wherein the second constituent is maltodextrin.

56. (New) The process according to claim 52 wherein the second constituent is a hydroxy acid selected from the list consisting of citric acid, tartaric acid, lactic acid and ascorbic acid.

57. (New) The process according to claim 44 wherein the second constituent is a sugar or a sugar alcohol.

58. (New) The process according to claim 44 wherein the second constituent is ascorbic acid.

BT 59. (New) The process according to claim 44 wherein the second constituent is selected from the group consisting of proteins, amino acids, protein hydrolysates, peptides, derivatives and mixtures thereof.

60. (New) The process according to claim 44 wherein the foodstuff is selected from the group consisting of baked goods, confectionery, frozen products, dairy products, meat products, edible oils and fats, and fine foods.

61. (New) The process according to claim 60 wherein the foodstuff is a baked good selected from the group consisting of breads, cakes, muffins, doughnuts, biscuits, crackers and cookies.

62. (New) The process according to claim 60 wherein the foodstuff is a confectionery selected from the group consisting of candies, caramels, chocolate and puddings.

63. (New) The process according to claim 60 wherein the foodstuff is a frozen dairy product.

64. (New) The process according to claim 63 wherein the foodstuff is a frozen dairy product selected from the group consisting of ice cream and ice milk.

65. (New) The process according to claim 60 wherein the foodstuff is a frozen dairy product selected from the group consisting of coffee cream, whipped cream, custard cream, milk drinks and yoghurts.

66. (New) The process according to claim 60 wherein the foodstuff is a processed meat product.

BT 67. (New) The process according to claim 60 wherein the foodstuff is an edible oil or fat selected from the group consisting of water in oil emulsions, oil in water emulsions, margarine, shortening and spreads.

68. (New) The process according to claim 60 wherein the foodstuff is a fine food selected from the group consisting of sauces and mayonnaise.

69. (New) A foodstuff obtained by a process as defined in claim 44.--

Kindly cancel claims 30-43, without prejudice, without admission, without surrender of subject matter, and without any intention of creating any estoppel as to equivalents.